

REMARKS

Claims 1 – 24 are pending in the application. Claims 1–4, 6-13, 23 and 24 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,223,213 issued to Cleron et al. Claim 5 stands rejected under 35 U.S.C. § 103(a) over Cleron in view of U.S. Patent No. 6,219,818 issued to Freivald. Applicant has canceled Claims 14 – 22 and amended Claims 1, 5, 9 and 23. Applicant respectfully requests reconsideration and full allowance of Claims 1-13, 23 and 24.

Cleron discloses a browser based e-mail system having a user interface for audio/video capture.

Freivald discloses selection of text by dragging a highlight across the text.

Claim 1 as amended recites, in part, “creating, at said client site, an audiovisual message, said audiovisual message relating to said file annotation.”

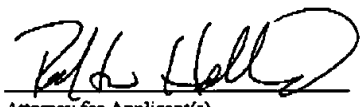
Claim 9 as amended recites, in part, “creating said electronic audiovisual message, said electronic audiovisual message regarding the annotating of said image file.”

Claim 23 as amended recites, in part, “capturing audiovisual material responsive to said image file annotation.”


Applicant respectfully submits that Cleron and Freivald, taken separately or together, cannot anticipate or make obvious Claims 1, 9 and 23 because Cleron and Freivald fail to teach, disclose or suggest all elements recited by Claims 1, 9 and 23. For instance, neither Cleron nor Freivald teach, disclose or suggest an “audiovisual message relating to said file annotation,” as recited by Claim 1, an “audiovisual message regarding the annotating of said image file,” as recited by Claim 9 or “capturing audiovisual material responsive to said image file annotation,” as recited by Claim 23. Cleron discloses no more than attaching an audiovisual file to an e-mail and Freivald fails to disclose any relationship between highlighting and an audiovisual file. Accordingly, Claims 1-13, 23 and 24 are allowable.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO on November 22, 2004.	
 Attorney for Applicant(s)	22 Nov 2004 Date of Signature

Respectfully submitted,


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